



# House of Representatives

**File No. 671**

General Assembly

February Session, 2018

**(Reprint of File No. 359)**

House Bill No. 5293  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
May 3, 2018

***AN ACT CONCERNING THE SALE OF ELECTRONIC NICOTINE  
DELIVERY SYSTEMS AND VAPOR PRODUCTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2018*) (a) For the purposes of  
2 this section:

3 (1) "Electronic nicotine delivery system" has the same meaning as  
4 provided in section 19a-342 of the general statutes.

5 (2) "Vapor product" has the same meaning as provided in section  
6 19a-342 of the general statutes.

7 (3) "Retail establishment" has the same meaning as provided in  
8 section 19a-106a of the general statutes.

9 (b) (1) Except as provided in subdivision (3) of this subsection, no  
10 retail establishment may sell or offer for sale an electronic nicotine  
11 delivery system or a vapor product by any means other than an  
12 employee-assisted sale where the customer has no direct access to the

13 electronic nicotine delivery system or vapor product except through  
14 the assistance of the employee of such retail establishment.

15 (2) No retail establishment may sell or offer for sale an electronic  
16 nicotine delivery system or a vapor product from a self-service display.

17 (3) The provisions of subdivisions (1) and (2) of this subsection shall  
18 not apply to a retail establishment if minors are prohibited from  
19 entering the retail establishment and the prohibition on minors  
20 entering the retail establishment is posted clearly on all entrances of  
21 the retail establishment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	New section

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill makes certain requirements for the sale of electronic nicotine delivery systems/vapor products and is not anticipated to result in a fiscal impact to the state or municipalities.

House "A" eliminates the original bill and its associated fiscal impact and results in the impact described above.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis****HB 5293 (as amended by House "A")\******AN ACT CONCERNING THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND VAPOR PRODUCTS.*****SUMMARY**

This bill allows retail establishments to sell e-cigarettes (i.e., electronic delivery systems or vapor products) to consumers only through employee-assisted sales where customers cannot access the e-cigarettes without the employee's assistance. It expressly prohibits these establishments from selling or offering for sale e-cigarettes through self-service displays.

The bill exempts from the requirements retail establishments that prohibit minors from entering and post notice of the prohibition clearly at all of the establishment's entrances.

Existing law, unchanged by the bill, prohibits selling e-cigarettes to minors.

\*House Amendment "A" replaces the original bill (File 359), which required e-cigarette retailers to sell e-cigarettes in accordance with federal regulations on direct, face-to-face sales of cigarettes and smokeless tobacco products.

EFFECTIVE DATE: October 1, 2018

**COMMITTEE ACTION****Public Health Committee**

Joint Favorable

Yea 16      Nay 10      (03/26/2018)

**General Law Committee**

Joint Favorable

Yea 15      Nay 0      (04/24/2018)